REMARKS:

In what follows, the following information is presented:

Remarks regarding Rejections in section 4

Applicant acknowledges the rejection regarding the Mejia patent. This rejection arises from the fact that the applicant made an error when wording claims 1, 23, 57 and 58. Where it said:

> "*at least two of the linguistic entities which are included in said sample of target language and which <u>have the same pronunciation as each other</u> are represented by graphical objects which display the same information*"

it should have said:

> *at least two of the linguistic entities which are included in said sample of target language and which <u>have different pronunciation from each other</u> are represented by graphical objects which display the same information*"

This error has been corrected now in this claim set by adding the proper amendment. It is applied to all four previous claims 1, 23, 57 and 58.

Therefore, the first amendment in this patent is to correct said mistake. This amendment shows that the current wording teaches away from the Mejia patent. The Mejia patent uses different symbols for representing different phonemes. That is to say, each phoneme is represented by a different symbol. This is so because its intention is to help the user to identify each specific and different phoneme, and to associate it to the different text alternatives that the phoneme could be related to in a specific textual language.

However, in the current patent the same symbols can be used for all phonemes regardless whether they are pronounced in different ways. The intention of this invention is to provide the user with a tool to select specific sounds in the language sample, so that he/she can

easily access to information related to the sounds without having to look at the associated text. And this way, to create his/her own mental sound map.

In summary, the Mejia patent is directed towards users who already master the phonemes and sounds of the target language, and have a mental map for them, but who are learning to manage the letters associated to said sounds. The present patent is directed towards users who know little or do not know at all the sounds of the target language. This is the reason why both inventions are different.

The second amendment in these claims modifies how the text of the language samples is to be treated. The key part of this patent, as described in the Specification, is to give the user the means to select a portion of the language sample, but without looking at a textual representation of the language sample. Therefore, in the best embodiment of the invention a textual representation of the language sample would not be shown.

In the second claim set filed, and amendment was introduced to specify that the invention would not show the text that corresponds to the blind extract. This is the easiest way to prevent the user from reading said text. However, there are obvious ways to formally circumvent this condition, while still implementing the essence of the invention. For example, the text might be shown in a corner of display, far away from the blind extract. This way, the user might manipulate the blind extract while not seeing said text.

Due to that, the following amendments are added now:
-   In claims 1, 23, 57 and 58 a new condition is entered which simply states the essence of the invention, which is to prevent the user from reading the text.
-   New claims 59, 60, 61 and 62 are added to specify different ways to prevent the user from doing so. Claims 59 and 60 disclose the simply approach of not showing the text. This would work either by hiding the text in case it was previously shown or by simply not showing it.

The content of some of these amendment is not explicitly and word by word written in the Specification. However, it must be assumed that it is already contained there, because this is the only way to define the invention in a way that can be protected by a patent.

Therefore, Applicant believes that these new claims do not add new matter to the Specification. The invention mentions explicitly that the user should not work with a text representation of the language sample. For example, in paragraph 2 in page 6, the Specification says that "The invention uses graphical entities that replace the written form of the target language", which means that the text representation is not present.

Also, paragraph 6 in page 8 states that ", the invention basically allows to discriminate words and identify the structure of the sentences without suffering the negative effects of prematurely working with written texts" This clearly indicates that the user is not working with the written texts, which is equivalent to saying that the user is prevented from looking at the written text.

The only way in which the invention can be protected would be by adding the aforementioned claims claims. Because of that, they are in a sense already contained in the Specification.

Furthermore, they actually do not represent new ways to embody the invention, as would the case with new matter. They do not add anything new to the invention: the invention works without them.   They just allow the invention to be defined in a way that can be protected by a patent.

Additionally, the fact that the text form of the language sample is not present, the present invention teaches away from the Cox patent. The Cox patent is directed for teaching reading, which requires the text representation to be present.
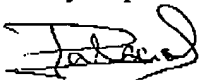
CONCLUSION

For all the above reasons, Applicant submit that the specification and claims are now in proper form, and that the claims all define patentably over the prior art. Therefore he submits that this application is now in condition for allowance, which action he respectfully solicits.

Conditional Request for Constructive Assistance

Applicant has amended the specification and claims of this application so that they are proper, definite, and define novel structure which is also unobvious.

If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully request the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. §2173.02 and §707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

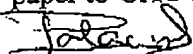Very respectfully

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Certificate of Facsimile Transmission: I certify that on the date below I will fax this paper to GAU 3715 of the U.S. Patent and Trademark Office at 571-273-8300.

2012 April 3rd.